

REMARKS

This application has been reviewed in light of the final Office Action mailed on November 23, 2010. Claims 1-5, 7-12, and 14-19 are pending, of which Claims 1 and 8 are in independent form. By the present amendment, Claims 1 and 8 have been amended. Claims 6 and 13 have been previously cancelled. No new matter or issues are believed to be introduced by the amendments.

Claims 1-5, 7-12, and 14-19 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application No. 2003/0079225 to Peising et al. in view of U.S. Patent Application No. 2004/0034875 to Bulkowski et al. and further in view of U.S. Patent Application No. 2009/0320073 to Reisman. Applicant respectfully traverses the rejection.

Claim 1, as amended herein, recites, *inter alia*, as follows:

“...restarting the received timebase when the identification signal is present **such that at least two of the three components are resynchronized with the interactive applications...**” (Emphasis added.)

The applied combination of Peising, Bulkowski, and Reisman fails to disclose and/or suggest at least “...restarting the received timebase when the identification signal is present such that at least two of the three components are resynchronized with the interactive applications,” as recited in amended independent Claim 1.

At page 5 of the present final Office Action, the Examiner stated that Peising and Bulkowski fail to mention “pausing timebase at unspecified time intervals.” The Examiner relied on Reisman to cure such deficiencies. However, Peising, Bulkowski, and Reisman, taken alone or in any proper combination, do not teach and/or suggest the additional feature(s) of independent Claim 1.

In particular, at page 4 of the present final Office Action, the Examiner relied on paragraph [0025] of Peising to teach the “restarting of the timebase.” However, paragraph [0025] merely states:

“Therefore in those sections of the broadcast signal 28 that have been added by the distributor 12 and do not have an identification signal, the monitoring means will note the absence of the identification signal 24 and interrupt the running of the interactive application. In its simplest execution this interruption will be the suspension of the interactive application pending the return of the identification signal 24. However other interruptions are possible, including miniaturization of the interactive application on the display, or pausing the application so it is still visible but not operational, removing of the graphical elements from the display, or pausing an internal timebase.”

It is not clear where such portion of Peising refers to restarting a timebase when an identification signal is present. Moreover, Peising, as a whole, does not mention restarting the received timebase when the identification signal is present such that at least two of the three components are resynchronized with the interactive applications, as recited in amended independent Claim 1.

In contrast, as claimed in amended independent Claim 1, the received timebase is restarted when the identification signal is present such that at least two of the three components are resynchronized with the interactive applications. Support for such feature can be found at least at paragraphs [0012] and [0037] of Applicant’s published application (2008/0222672), which state:

“Advantageously, the receiving apparatus is a digital television receiver and the receiving means and the monitoring means are portions of an integrated circuit. The monitoring means is arranged to restart the timebase, once the identification signal is present. **This ensures that the video and audio streams of the broadcast are resynchronized with the interactive application.**” (Emphasis added.)

“When the identification signal 24 is restored, the monitoring means 38 is arranged to restart the timebase 23, once the identification signal 24 is present. Therefore when the advertisement 302 is finished, and the original programme 300 is being received by the receiver 34, the timebase 23 is restarted and the interactive application **will execute its events in proper synchronization with the video and audio streams of the programme 300.**” (Emphasis added.)

Thus, the applied combination of Peising, Bulkowski, and Reisman clearly does not teach and/or suggest the feature(s) added to amended independent Claim 1.

Independent Claim 8 includes the same or similar limitations to those of Claim 1, and is allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 1 and 8 and allowance thereof are respectfully requested.

Claims 2-5, 7, 9-12, and 14-19 depend, directly or indirectly, from independent Claims 1 and 8 and contain all of the features of Claims 1 and 8. Therefore, for at least the reasons presented above for the patentability of Claims 1 and 8, it is respectfully submitted that Claims 2-5, 7, 9-12, and 14-19 are also patentable over Peising, Bulkowski, and Reisman taken alone or in any proper combination. Additionally, dependent Claims 2-5, 7, 9-12, and 14-19 contain further patentable elements/features. Hence, withdrawal of the rejection with respect to Claims 2-5, 7, 9-12, and 14-19 under 35 U.S.C. §103(a) and allowance of said claims are respectfully requested.

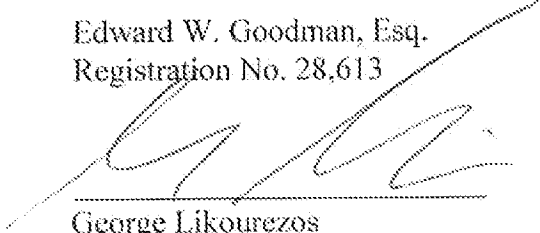
In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-5, 7-12, and 14-19, are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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